

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

UNITED STATES OF AMERICA )  
 ) Case No. 4:05-cr-32  
vs. )  
 )  
SEAN MURRAY ) JUDGE COLLIER  
 ) MAGISTRATE JUDGE LEE

REPORT AND RECOMMENDATION

Counsel for defendant Sean Murray requested a psychiatric/psychological evaluation of defendant on September 20, 2005 [Doc. No. 4] and an order was entered on September 26, 2005 allowing said evaluation [Doc. No. 10]. A January 6, 2006 letter from Stephen M. Dewalt, Warden of the Federal Bureau of Prisons, Federal Medical Center in Lexington, Kentucky, and a Forensic Evaluation of defendant Sean Murray, were received by the Court. The findings in the evaluation are the defendant was not suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings filed against him or assist his attorney in his defense, and the defendant was sane at the time of the alleged offense. Defendant filed a Waiver of Competency Hearing pursuant to 18 U.S.C. § 4247(d) on February 21, 2006 [Doc. No. 16]. On the basis of the waiver and the evaluation, it is **RECOMMENDED** the Court find defendant Sean Murray competent to understand the nature and consequences of the proceedings against him and able to assist in his defense, and further find defendant is competent to stand trial.

SO ORDERED:

ENTER.

*s/Susan K. Lee* \_\_\_\_\_

SUSAN K. LEE  
UNITED STATES MAGISTRATE JUDGE